

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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AKIRO LLC,	:	
	:	12-CV-5775 (JSR)
Plaintiff,	:	
	:	
-against-	:	DEFENDANTS' NOTICE OF MOTION
	:	FOR SUMMARY JUDGMENT
HOUSE OF CHEATHAM, INC., and	:	
ROBERT H. BELL,	:	
	:	
Defendants.	:	
-----X	:	

PLEASE TAKE NOTICE that upon the annexed Declaration of Mercedes Colwin, Esq., and the exhibits annexed thereto, the annexed Declaration of Nathan Belzer, Esq., the annexed Declaration of Dwan White, the accompanying Memorandum of Law in Support of Motion for Summary Judgment, and upon all prior pleadings and proceedings herein, the undersigned will hereby move this Court, before the Honorable Jed S. Rakoff, U.S.D.J., at the Courthouse located at 500 Pearl Street, New York, New York, on April 8, 2013, at 4:00 p.m., for an Order pursuant to Fed.R.Civ.P. Rule 56(a) granting them summary judgment dismissing the Complaint in its entirety, with prejudice, on the grounds that plaintiff's claims lack any evidentiary support and therefore plaintiff cannot establish trademark infringement, false designation of origin, unfair competition, or dilution.

PLEASE TAKE FURTHER NOTICE that, pursuant to this Court's Order dated February 6, 2013 and amended February 20, 2013, opposition papers are to be served on or before March 12, 2013, and any reply papers are to be served on or before April 1, 2013.

Dated: New York, New York
February 26, 2013

Respectfully submitted,

GORDON & REES LLP

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